

AO 91 (Rev 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Terence Jerome BROADY

Case No. 2:21-mj-507

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 3, 2021 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. 1951  
18 U.S.C. 924(c)(1)(ii)

Offense Description

Interference with Interstate Commerce through Robbery  
Brandishing a Firearm During the Commission of an Offense of Violence

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Brian V. Boesch TFO 6551  
Complainant's signature

ATF Task Force Officer Brian V. Boesch

Printed name and title

Sworn to before me and signed in my presence. VIA FACSIMILE

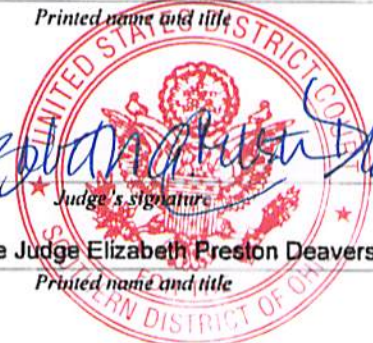
Date: August 6, 2021

City and state: Columbus, OH

Elizabeth Preston Deavers  
Judge's signature

Magistrate Judge Elizabeth Preston Deavers

Printed name and title



**ATTACHMENT A**

**I, Brian V. Boesch, being duly sworn, depose and state that:**

**I have been a police officer with the Columbus Division of Police since November of 1994. I am currently assigned as a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so assigned since July of 2014. I was previously assigned as a robbery detective for eight and a half years and successfully investigated robberies and extortions. As a Task Force Officer, I am also authorized to carry firearms, execute warrants, make arrests for offenses against the United States, and perform other such duties as authorized by law.**

- 1. On July 31, 2021, at approximately 2:26pm, an unknown suspect entered the Waffle House restaurant located at 1050 E. Dublin-Granville Rd. Employee/witness #1 was working and was inside the store by himself sitting at a corner table. The suspect, a male, black, approximately 50 years old, wearing a black balaclava, black t-shirt, black pants, black shoes with red trim and white soles, a black glove on his right hand, a black backpack with large, blue, handled bolt cutters hanging off, asked employee/witness #1, "Where are all the servers?" Employee/Witness #1 replied, "I'm it" and the suspect stated, "Good" and displayed a large black and gray handgun. Employee/Witness #1 put his hands up, and the suspect told him to put his hands down. The suspect walked to the front door, attempted to lock it, and told Employee/Witness #1 he was only doing this for his kids. The suspect told him to place the money from the till, approximately \$300, into his backpack. The suspect asked him if there was any money underneath the till drawer. Employee/Witness #1 checked and dropped the till on the ground.**
- 2. The suspect ordered Employee/Witness #1 to a small back room where the safe was located. The suspect ordered him to sit outside the room, and the suspect then used the bolt cutters to cut off a small and large padlock that was on the safe which contained three tills with money and a 5/3 deposit bag. Using his gloved hand, the suspect placed the three tills on the ground and ordered Employee/Witness #1 to put the money from the tills in the backpack. The suspect inspected the 5/3 deposit bag, which was locked, and placed it in the backpack as well. The approximate amount of money taken from the safe was between \$3000 and \$5000. An unknown customer walked in, and the suspect told him they were closed, and it would be about 20 minutes.**
- 3. At 2:29 pm, another Waffle House employee, Employee/Witness #2, was outside in the parking lot talking to another manager on the phone. The unknown customer came out and told Employee/Witness #2 the Waffle House was closed. Employee/Witness #2 remained outside in the parking lot, and thought it was odd that the store was closed.**
- 4. Back inside the store, the suspect then asked Employee/Witness #1 where his phone was located and made him set it outside the safe room. The suspect then ordered Employee/Witness #1 into the room and locked him in the room. The suspect then walked out of the store with the backpack full of money and the bolt cutters. The suspect's vehicle was parked on the east side of the building. The suspect walked to his vehicle. Employee/Witness #2 stated he went in to check on Employee/Witness #1, and then went back outside around the corner of the building and observed the suspect inside the vehicle and asked him if he just came out of the store. The suspect stated, "No, the suspect ran that way" and began to drive off. Employee/Witness #2 stated he got a picture of the suspect vehicle and suspect with his mask off. The suspect vehicle was identified as a grey 2005 Kia Sedona bearing Ohio tag #HSL8104. Employee/Witness #2 stated the suspect then drove westbound on the service road off E. Dublin Granville Road.**

Employee/Witness #2 stated he went back inside and let Employee/Witness #1 out of the locked room, and then contacted the police.



5. Since June 27, 2021, there have been several very similar robberies of Waffle House restaurants in the central Ohio area. Several victim employees have told investigators that they believe the suspect is a former employee by the name of Terence BROADY. In fact, on June 27, 2021, prior to the robbery of the Waffle House at 6484 E. Broad St., a male came into the restaurant and was asking questions about employment. The male told the employees his name was Terence and that he used to work for Waffle House. A review of the surveillance video shows the person as a male black with a gray beard, and he was driving an older, gray Kia minivan, but the video did not capture a license plate.
6. Detective Brett Johnson researched the LEARN license plate reader database and entered the license plate that Mr. Baker captured in the photo of the suspect driving the van. The license plate was scanned several times at the America's Best Value Inn at 4875 Sinclair Rd. Detectives Johnson and Rob Polta visited the motel and discovered that BROADY had indeed rented a room at the hotel and according to the motel's paperwork, he registered a Kia as his vehicle with the hotel. The license plate captures of the plate and the van match the photo taken by Employee/Witness #2.
7. On July 20, 2021, Bureau of Alcohol, Tobacco and Firearms (ATF) Task Force Officer (TFO) Brian V. Boesch created a photo array using a photo of BROADY as the focus of the array. The Columbus Division of Police (CPD) mugshot program generated numerous candidates that had similar characteristics to BROADY. Five (5) candidates were chosen, and the program randomly placed all six (6) photos in order within the array.
8. On August 5, 2021, TFO Boesch and Special Agent (SA) Teresa Petit met with Employee/Witness #2 at the



AO 91 (Rev. 11/11) Criminal Complaint

Waffle House at 1050 E. Dublin-Granville Rd. to present the array to him. SA Petit acted as the blind administrator for the array and advised Employee/Witness #2 that the suspect may or may not be in the array and that he was not required to select any photo. SA Petit then placed the array in front of Employee/Witness #2. He looked at all six (6) photos before immediately selecting BROADY's photo as the person that robbed his restaurant on July 3, 2021. He stated he made the identification due to the shape of BROADY's face and beard and the fact that he was in such close proximity to him when he confronted him after the robbery.

9. Waffle House, Inc. is an American restaurant chain with 2,100 locations in 25 states. Waffle House is headquartered in Norcross, Georgia. The food products they serve are shipped from various vendors across the United States to the individual stores. The stores use the internet to conduct credit card transactions which are transmitted across state lines. Therefore, Waffle House, Inc. is engaged in interstate commerce.

*Brian V. Boesch* TFO  
6551

Brian V. Boesch, ATF Task Force Officer

Sworn to before me and signed in my presence *in fact*

*Elizabeth Preston Deavers*  
Elizabeth Preston Deavers  
U.S. Magistrate Judge



*August 6, 2021*  
Date